

Docket No.: PH-7038
USSN: 09/519,188

REMARKS

Status

Support for the new claims 9-11 can be found in the specification, page 6. No new matter would be added upon entry of this amendment. Upon entry of the present amendment, Claims 1 and 9-11 will be pending in this application.

Discussion

Applicant's representative, David H. Vance, Ph.D., thanks Examiner Kim for the helpful and courteous discussion of July 23, 2003. During the discussion, it was agreed that a new Declaration under 37 CFR 1.131 by Dr. Wong would obviate the rejection over Cariou. It was also agreed that the rejection over Marlowe (WO 96/40744) would be removed in view of the data shown in Example 1. Applicant submits herewith the agreed upon Declaration.

The rejection of Claim 1 under 35 U.S.C. §102(b) over Cariou (CA 2,199,642) has been obviated by submission of the attached declaration under 37 CFR 1.131 by Dr. Pancras Wong, which antedates Cariou. Withdrawal of this rejection is respectfully requested.

The rejection of Claim 1 under 35 U.S.C. 103(a) over Marlowe (WO 96/40744) is respectfully traversed.

As was agreed during the discussion, Marlowe very generally describes possible combinations of a factor Xa inhibitor with other agents. Marlowe did not recognize the synergistic effects of combining a factor Xa inhibitor with aspirin. These effects have been demonstrated by Example 1 of the above-identified application. In Example 1, it was shown that aspirin combined with a factor Xa inhibitor prevented arterial occlusion

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at levels that administered alone were completely ineffective at preventing occlusion.

Thus, it was also agreed that this rejection would be removed.

The application is now believed to be in condition for allowance and an early notification thereof is respectfully requested.

Respectfully submitted,

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